

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

**MEMO ENDORSED**

HELEN SWARTZ, Individually,

Plaintiff,

vs.

Case No.: 1:21-cv-02808-ALC-KHP

NY STONE STREET HOTEL XLIII  
OPERATOR LLC, a Delaware Limited  
Liability Company,

Defendant.

**FIRST MOTION TO ADJOURN CONFERENCE**

COMES NOW Plaintiff Helen Swartz, by and through undersigned counsel, and hereby moves this Honorable Court to adjourn the Initial Case Management Conference set for August 11, 2021, at 10:45 a.m., and as cause therefore would show as follows:

1. The undersigned was just informed via email, on June 8, 2021, at 3:26 p.m., that the property which forms the basis of this lawsuit was sold.

2. Plaintiff's research shows that the subject property was sold on May 26, 2021. Accordingly, it is Plaintiff's desire to file an Amended Complaint showing the new property owner.

**WHEREFORE,** Plaintiff respectfully moves this Court to adjourn the Initial Case Management Conference for sixty (60) days, to allow Plaintiff time to seek permission to file an Amended Complaint, serve same, and attempt to negotiate a settlement, thus conserving judicial resources and attorneys' time and expense.

Dated: June 9, 2021

Respectfully submitted,

/s/ Lawrence A. Fuller

Lawrence A. Fuller, Esq. (LF 5450)  
FULLER, FULLER & ASSOCIATES, P.A.  
12000 Biscayne Blvd., Suite 502  
North Miami, FL 33181  
(305) 891-5199  
(305) 893-9505 - Facsimile  
[Lfuller@fullerfuller.com](mailto:Lfuller@fullerfuller.com)

*Counsel for Plaintiff Helen Swartz*

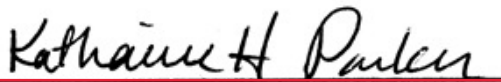
**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that on this 9<sup>th</sup> day of June, 2021, the foregoing was filed via the Court's CM/ECF system, which will automatically notice counsel for Defendant:

Erik D. Mass, Esq.  
OGLETREE, DEAKINS, NASH,  
SMOAK & STEWART, P.C.  
599 Lexington Avenue, 17th Floor  
New York, NY 10022  
[erik.mass@ogletree.com](mailto:erik.mass@ogletree.com)

**APPLICATION GRANTED:** The Initial Case Management Conference in this matter that is scheduled for Wednesday, August 11, 2021 at 10:45 a.m. in Courtroom 17D, 500 Pearl Street, New York, NY 10007 is hereby rescheduled to **Wednesday, October 13, 2021 at 10:00 a.m.**

**APPLICATION GRANTED**



**Hon. Katharine H. Parker, U.S.M.J.**

06/11/2021

/s/ Lawrence A. Fuller

Lawrence A. Fuller, Esq.  
(LF5450) Fuller, Fuller &  
Associates, P.A.  
12000 Biscayne Boulevard, Suite  
502 North Miami, FL 33181  
Telephone: (305) 891-5199  
Facsimile: (305) 893-9505  
[Lfuller@fullerfuller.com](mailto:Lfuller@fullerfuller.com)

*Counsel for Plaintiff Helen Swartz*